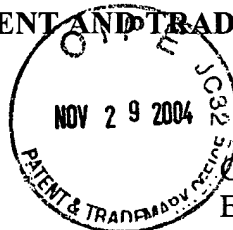


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jorgen Hescheler
Serial No.: 10/084,960
Filed: 02/28/2002
Entitled: **Fluorescent Proteins As Cell Type Specific Reporters**



Group No.: 1632
Examiner: J. T. Woitach

DECLARATION OF J. MITCHELL JONES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.

Date: 11-24-04

By: 

Mary Ellen Waite

I, John Mitchell Jones, hereby verify that the plasmid pCX-(alpha-actin)GFP-Neo has been deposited under the Budapest Treaty and that the plasmid will be irrevocably and without restriction released to the public upon issuance of a patent. The International Form confirming the deposit is attached hereto.

Dated: 11-24-04


J. Mitchell Jones

Registration No. 44,174

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608.218.6900

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

Institut für Neurophysiologie
der Universität zu Köln
Robert-Koch-Str. 39

50931 Köln

deposited by:
Prof. Dr. Jürgen HeschelerDSMZ- Deutsche Sammlung von Mikroorganismen
und Zellkulturen GmbH
Mascheroder Weg 1b, D-38124 Braunschweig, Germany
Tel: 0531/2816-0 • Fax: 0531/2816-467

30.07.97

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: pCX- (α -act) GFP-Neo	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM 11633
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input checked="" type="checkbox"/> (X) a scientific description <input type="checkbox"/> () a proposed taxonomic designation (Mark with a cross where applicable).	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 1997-06-27 (Date of the original deposit) ¹ .	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion).	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <i>U. Weis</i> Date: 1997-06-30

¹ Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.